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Attorneys for Defendant  
NAVAGILITY, LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

TOM AZZARELLO,  
Plaintiff,  
v.  
NAVAGILITY LLC,  
Defendant.

)  
) Case No. 08-CV-2371 MMC  
)  
) NAVAGILITY, LLC'S RE-NOTICE OF  
) MOTION TO DISMISS FOR LACK OF  
) PERSONAL JURISDICTION AND  
) IMPROPER VENUE PURSUANT TO FED.  
) R. CIV. P. 12(B)(2) AND (3)  
)  
) HON. MAXINE M. CHESNEY  
) DATE: September 5, 2008  
) TIME: 9:00 a.m.  
) COURTROOM 7, 19<sup>th</sup> Floor  
)  
)

**RE-NOTICE OF MOTION**

NOTICE IS HEREBY GIVEN TO all parties and their attorneys of record that on September 5, 2008 at 9:00 a.m. or as soon thereafter as the matter may be heard, in Courtroom 7 of the United States District Court for the Northern District of California, located at 450 Golden Gate Avenue, 19th Floor, San Francisco, California 94102, defendant NavAgility, LLC

1 ("NavAgility") will and hereby does move this Court to dismiss the Complaint against it filed by  
2 Tom Azzarello ("Azzarello") because there is a lack of proper personal jurisdiction against  
3 NavAgility. The motion was previously submitted to Magistrate Judge Maria Elena-James, and  
4 by order of the Court is hereby re-noticed. The parties have already submitted briefing on  
5 NavAgility's motion, and the grounds for the motion are as stated in the original Notice of  
6 Motion and Motion and Memorandum of Points and Authorities (Docket #5) and supporting  
7 papers (Docket Nos. 6-7, 12-13).

8 Dated: July 10, 2008.

Respectfully submitted,

9 NAVAGILITY, LLC  
10 By Its Attorneys,

11 /s/ Charles H. Jung

12 Charles H. Jung  
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